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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,085	01/13/2000	HIDEO ANDO	0039-7513-2S	6528
22850	7590	11/16/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, HUY THANH	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/482,085

Applicant(s)

ANDO ET AL.

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/30/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 June 2004 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 50-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Kim et al (6,470,135) in view of Naimpally (5,619,337).

Regarding claims 42-49, Kim discloses an information storage medium and apparatus for recording/ reproducing information on and from the recording medium (Figs. 1-3), the medium comprises:

a data area (230) configured to store an MPEG transport stream (column 3, lines 15-30, column 4, lines 50-55, column 5, lines 55-65) containing information of I-pictures (intra frame) , the MPEG transport stream being recorded as data units (SOBUs); and a management area for storing information relating to position of a unit (column 4, lines 13-45) relating to a position of the data unit (column 5, lines 25-40, column 6, lines 40-65, column 6, lines 55-60, column 7). Kim further teaches means for recording the MPEG transport stream and management information on the medium and means for reproducing the MPEG transport stream and management information (Fig. 4) and information indicating that the data unit which contains an access unit corresponding to an I-picture, and a second information of a random access indicator corresponding to the I-picture (column 4, lines 45-55, column 5-6, column 7, lines 40-55).

Kim further teaches that the I frame (intra frame) is matches with a start position of the data unit (column 4, lines 45-54) . The I- picture of the first sector of the data

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unit is reproduced since the I frame is a start frame for an object, a scene or sector of the stream.

Kim fails to teach that the unit further comprising program associated table and program map table.

Naimpally teaches a recording/ reproducing apparatus in which the recording means recording the MPEG transport stream of units, each unit having a leading side comprising a program associated table and program map table (Fig. 3 column 6, line 35 to column 7, line 20).

It would have been obvious to one of ordinary skill in the art to modify Kim with Naimpally by providing means for providing each data unit of transport stream of Kim with one of program associated table and program map table thereby allowing the data unit can be accurately accessed when reproducing the stream.

Kim further teaches means for recording the transport stream and management information on the medium (column 5, Fig. 1).

Kim further teaches reproducing means for reproducing the management information and transport stream (Fig. 14, column 4, lines 45-55, column 5 lines 60-68).

Response to Arguments

4. Applicant's arguments filed 30 June 2004 have been fully considered but they are not persuasive.

Applicant argues that Kim does not teach a start position of the data unit is aligned to a start position of an I-frame. In response, the examiner disagrees. It is

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noted that Kim at column 4, lines 44-55) teaches that a object unit comprises a plurality of sectors and each sector having a I-frame at the start position of the sector . It is clear that Kim teaches the I frame is aligned with a start position of the data unit .

Applicant argues that Kim does not teach management information including information relating to a position of the data unit . In response the examiner disagree . It is noted that the management information as discloses by Kim comprising program chain and cell information to manage and access the data unit in data area includes information relating to a position of a the data unit (column 6, lines 55-60 and column 8, lines 1-11). When a user selects a program chain , the program chain information and cell information in the management locate the target data unit of the selected program chain by using pointing information and start position information . It is clear that Kim teaches the management information including relating to a position of a data unit .

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUY NGUYEN
PRIMARY EXAMINER